



U.S. Department of Justice

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For Immediate Release:

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EVENT: Sentencing

Defendant: John Thomas

**MICHIGAN RESIDENT SENTENCED FOR
SELLING MORE THAN \$1 MILLION WORTH OF COUNTERFEIT
SOFTWARE ON eBay**

DETROIT – A Michigan man has been sentenced to 5 months in custody and 5 months home confinement for selling more than \$1 million worth of counterfeit computer software on the eBay internet auction site, Assistant Attorney General Alice S. Fisher of the U.S. Justice Department's Criminal Division and Stephen J. Murphy, U.S. Attorney for the Eastern District of Michigan, announced today.

James Thomas, 38, of Belleville, Mich., was sentenced today by U.S. District Judge Nancy G. Edmunds of the Eastern District of Michigan for selling counterfeit computer software over the Internet. At his guilty plea on Dec. 13, 2006, Thomas admitted that he purchased counterfeit Rockwell Automation computer software through the eBay internet auction site and then duplicated and resold the copyrighted software to other eBay users. Between August 26, 2003 and September 7, 2004, using two different eBay user names, Thomas sold counterfeit copies of Rockwell Automation software in 49 separate eBay auctions, receiving more than

\$14,625. The actual retail value of this software was in excess of \$1 million.

United States Attorney Stephen J. Murphy said, "Intellectual property theft is especially dangerous to our economy because it involves stealing the competitive edge of those who invest their money and creativity to be innovative. We must protect the intellectual property of U.S. companies if we are going to be able to compete in the digital age economy. Both my office and the Department of Justice as a whole have made prosecution of cyber crime and intellectual property cases a high priority. I commend the FBI and the Computer Crime and Intellectual Property Section of the Department of Justice for there excellent work which lead to today's sentence."

The case arose from a Department of Justice initiative to combat online auction piracy. FBI agents executed a search warrant at Thomas' residence in Columbiaville on Dec. 15, 2004, seizing numerous computers, CDs, and other devices used to manufacture the counterfeit software and sell it on eBay. Thomas admitted that he became aware of Rockwell Automation software through his job with Ford Motor Company, and that he understood the software applications and how they are used. He further admitted that he knew it was illegal for him to sell the copyrighted software, but did so because "it was easy money."

Rockwell Automation Inc. is a global provider of automation, power, control, and information solutions. It produces, among other things, specialized factory management software. The majority of the software applications sold by this defendant on eBay had retail prices ranging from approximately \$900 to \$11,325. Rockwell Automation owns the registered copyrights to all Rockwell/Allen Bradley software and the copyright on the product's packaging.

Thomas has forfeited the computers and other equipment used in the offense and will pay Rockwell Automation more than \$15,660 in restitution.

The case was prosecuted for the government by Assistant U.S. Attorney Sheldon Light, Chief of the Economic Crime Unit of the Eastern District of Michigan, and trial attorney Matthew J. Bassiur of the Computer Crime and Intellectual Property Section of the Criminal Division.